

### **REMARKS**

In response to the Office Action mailed March 10, 2006, Applicants respectfully request reconsideration.

Claims 5, 6, 15, 16, and 22-23 were rejected under 35 U.S.C. §112, second paragraph. Although Applicants respectfully disagree with this rejection for at least the reasons set forth in Applicants' prior response, for purposes of expediting prosecution only, Applicants are canceling these claims from the application without prejudice or disclaimer.

Claims 1-4, 7-14, and 17-21 were rejected under 35 U.S.C. §102(e) as being anticipated by Coile, U.S. Patent No. 6,598,081. The rejection set forth in the Office Action is the same as the rejection set forth in the prior Office Action. Applicants respectfully traverse this rejection again. As noted in Applicants' previous response, claim 1 recites, a method of increasing throughput of a server capable of servicing at least one TCP/IP Transmission Control Block (TCB) stored in non-paged pool (NPP) memory containing information required to identify and to service the client connection, comprising: closing a TCP/IP connection; excluding information from the TCB not required to identify the client connection to form a timed-wait state TCB (TWTCB) for a time-wait period; and releasing the NPP memory containing the information required to service the client connection. As noted in Applicants' previous response, Coile does not teach or suggest at least excluding information from the TCB not required to identify the client connection to form a timed-wait state TCB (TWTCB) for a time wait period. In particular, Applicants have noted previously that Coile does not teach or suggest forming a timed-wait state TCB at all and the present Office Action, at pages 7-8 in the response to arguments section does not allege that Coile meets this particular limitation. Accordingly, claim 1 distinguishes over Coile and is in allowable condition. Therefore, withdrawal of the rejection under 35 U.S.C. §102 over Coile is respectfully requested.

Claims 2-4, and 7-10 depend from claim 1 and are allowable for at least the same reasons.

Claim 11 recites a method for increasing the throughput of a server capable of servicing at least one TCP/IP connection, the server establishing a TCP/IP Transmission Control Block (TCB) of a size and containing information sufficient to identify and service the connection, comprising: closing the at least one TCP/IP connection; forming a Timed-Wait TCB (TWTCB) of a size less than the TCB; and releasing the TCB for use by the server. As discussed above in connection with

claim 1, Coile does not teach or suggest forming a timed-wait TCB (TWTCB) of a size less than TCB. Accordingly, claim 11 distinguishes over Coile and is in allowable condition. Therefore, withdrawal of the rejection of claim 11 under 35 U.S.C. §102 over Coile is respectfully requested.

Claims 12-14 and 17 depend from claim 11 and are allowable for at least the same reasons.

Claim 18 recites a computer readable medium having computer-executable instructions for performing steps, comprising: closing a TCP/IP connection; copying less than all information stored in a TCP/IP Transmission Control Block (TCB) into a Timed-Wait TCB (TWTCB); and maintaining the TWTCB for a timed wait period to avoid late routed packets from establishing a new connection with a server. As discussed in connection with claim 1 above, Coile does not teach or suggest copying less than all information stored in a TCP/IP Transmission Control Block (TCB) into a timed-wait TCB (TWTCB). Accordingly, since Coile does not form any timed-wait state, claim 18 distinguishes over Coile and is in allowable condition. Accordingly, withdrawal of the rejection of claim 18 under 35 U.S.C. §102 over Coile is respectfully requested.

Claims 19-21 depend from claim 18 and are allowable for at least the same reasons.

**CONCLUSION**

A Notice of Allowance is respectfully requested. The Examiner is requested to call the undersigned at the telephone number listed below if this communication does not place the case in condition for allowance.

If this response is not considered timely filed and if a request for an extension of time is otherwise absent, Applicant hereby requests any necessary extension of time. If there is a fee occasioned by this response, including an extension fee, that is not covered by an enclosed check, please charge any deficiency to Deposit Account No. 23/2825.

Dated: May 10, 2006

Respectfully submitted,

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